

MARLBORO COUNTY COUNCIL

MARLBORO COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP BUILDING

COUNCIL CHAMBERS

TUESDAY, DECEMBER 13, 2011

6 PM

CHAIRMAN	RON MUNNERLYN
VICE-CHAIR	DR. CAROLYN PRINCE
ADMINISTRATOR	CECIL KIMREY
COUNTY ATTORNEY	HARRY EASTERLING, JR.

COUNCIL:

JASON STEEN,  
RON MUNNERLYN,  
DR. CAROLYN PRINCE,  
STEVE BLACKMON, AND

WILLIE GLADDEN,  
CORRIE H. PLATO,  
KEN ALLEN,  
ANTHONY WOODS

\* Absent

INVOCATION – Mr. Anthony Woods

APPROVAL OF AGENDA ITEMS

Mr. Ron Munnerlyn, Chairman advised an executive session was needed at the end of the council meeting for a legal and personnel issue.

**Motion made by Mr. Anthony Woods, seconded by Ms. Corrie Plato to approve the agenda with an executive session added at the end of the meeting. Vote in favor. Unanimous. Motion carried.**

APPROVAL OF COUNCIL MINUTES - NOVEMBER 8, 2011, NOVEMBER 14, 2011, AND DECEMBER 2, 2011.

A corrected copy of the minutes of November 8, 2011 was presented to council prior to council meeting.

Page Two – December 13, 2011 Council Minutes

**Motion made by Mr. Steve Blackmon, seconded by Mr. Anthony Woods, to approve the minutes of November 8, 2011 as presented. Vote in favor. Unanimous. Motion Carried.**

Dr. Carolyn Prince noted some corrections to the minutes of November 14, 2011 on page three. It was agreed she would contact the clerk to make the corrections.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Steve Blackmon, to approve the minutes of November 14, 2011 with corrections as agreed. Vote in favor. Unanimous. Motion Carried.**

**Motion made by Mr. Anthony Woods, seconded by Mr. Jason Steen, to approve the minutes of December 2, 2011 as presented. Vote in favor: Mr. Willie Gladden, Mr. Ken Allen, Mr. Steve Blackmon, Mr. Ron Munnerlyn, Mr. Jason Steen, Ms. Corrie Plato, and Mr. Anthony Woods. Abstain: Dr. Carolyn Prince (not present at meeting). Vote: 7/0/1. Motion Carried.**

#### OLD BUSINESS

ORDINANCE # 695 – AN ORDINANCE ESTABLISHING NEW ELECTORAL DISTRICTS FOR THE ELECTION OF MEMBERS OF MARLBORO COUNTY COUNCIL PURSUANT TO THE UNITED STATES CENSUS OF 2010 AND IN COMPLIANCE WITH SECTION 4-9-90, SOUTH CAROLINA CODE OF LAWS, 1976 AS AMENDED. – THIRD READING

**Motion made by Dr. Carolyn Prince, seconded by Mr. Willie Gladden to approve the third reading of Ordinance # 695 – An Ordinance establishing new electoral districts for the election of members of Marlboro County Council pursuant to the United States Census of 2010 and in compliance with section 4-9-90, South Carolina Code of Laws, 1976 as amended. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 696 – AN ORDINANCE TO APPROVE THE LEASE AGREEMENT BY AND BETWEEN THE COUNTY AND HUMANE SOCIETY OF MARLBORO COUNTY, INC. – THIRD READING.

The Humane Society requested Council table the third reading of the lease agreement until the January Council Meeting. Dr. Carolyn Prince stated council agreed at the last meeting that the shelter was to be closed. Mr. Cecil Kimrey, County Administrator and Mr. Sidney Wallace, Public Works Director advised the shelter was only taking in vicious animals as required by law, the shelter was closed.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Jason Steen, to table the third reading of Ordinance # 696 until the January Council Meeting. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 697 – AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BETWEEN MARLBORO COUNTY, SOUTH CAROLINA (THE “COUNTY”) AND (5-STAR USA CORPORATION), ACTING FOR ITSELF, ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS (THE “COMPANY”), IN CONNECTION WITH THE ESTABLISHMENT OR CERTAIN MANUFACTURING AND RELATED FACILITIES IN THE COUNTY (THE “PROJECT”); (2) THE COUNTY TO COVENANT IN SUCH AGREEMENT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE PROJECT; (3) SPECIAL SOURCE CREDITS TO PROVIDE REIMBURSEMENT FOR A PORTION OF CERTAIN COSTS INCURRED IN CONNECTION WITH THE PROJECT; (4) THE BENEFITS OF A MULTI-COUNTY PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; AND (5) OTHER MATTERS RELATING THERETO. – SECOND READING. -

Mr. Harry Easterling, County Attorney advised the attorney for 5-Star had been out of the office for three weeks and requested council table the second reading of Ordinance # 697 until the January council meeting.

**Motion made by Mr. Willie Gladden, seconded by Ms. Corrie Plato, to table the second reading of Ordinance # 697 – An Ordinance authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement between Marlboro County, South Carolina (the “County”) and (5-Star USA Corporation), acting for itself, one or more affiliates or other project sponsors (the “Company”), in connection with the establishment or certain manufacturing and related facilities in the county (the “Project”); (2) the County to covenant in such agreement to accept certain negotiated fees in lieu of AD VALOREM Taxes with respect to the project; (3) Special Source Credits to provide reimbursement for a portion of certain costs incurred in connection with the project; (4) the benefits of a Multi-County park to be made available to the Company and the Project; and (5) other matters relating thereto. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 698 - AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE INCENTIVE AGREEMENTS BY AND BETWEEN MARLBORO COUNTY, SOUTH CAROLINA, AND PROJECT GRACELANDPB, AND ONE OR MORE AFFILIATED OR RELATED ENTITIES; AUTHORIZING THE EXECUTION OF AN OPTION FOR SALE AGREEMENT FOR A PORTION OF THE MCCOLL INDUSTRIAL SITE; PROVIDING FOR A PROJECT INFRASTRUCTURE GRANT; PROVIDING FOR SPECIAL SOURCE REVENUE CREDITS; PROVIDING FOR THE INCLUSION OF THE PROJECT IN MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK; PROVIDING FOR CERTAIN SITE PREPARATION AND SITE ACCESS ASSISTANCE; AUTHORIZING THE COUNTY TO NEGOTIATE AND EXECUTE OTHER AGREEMENTS TO EFFECT THE INTENT OF THIS ORDINANCE; AND OTHER RELATED MATTERS. – SECOND READING

Mr. Ron King, Executive Director of Marlboro County Economic Development discussed briefly. He advised an announcement had been made earlier in the day for a new business, DanMarcLLC, which would be housed temporarily at the Boro Site. The business will be owned by two brothers, Marcus and Daniel Johnson and will represent a half-million dollar capital investment and will create approximately 25 jobs over the next five years.

**Motion made by Mr. Jason Steen, seconded by Mr. Anthony Woods, to approve the second reading of Ordinance # 698 - An Ordinance authorizing the execution and delivery of one or more incentive agreements by and between Marlboro County, South Carolina, and Project Gracelandpb, and one or more affiliated or related entities; authorizing the execution of an option for sale agreement for a portion of the McColl Industrial Site; providing for a project infrastructure grant; providing for Special Source Revenue Credits; providing for the inclusion of the project in Multi-County Business or Industrial Park; providing for certain site preparation and site access assistance; authorizing the county to negotiate and execute other agreements to effect the intent of this ordinance; and other related matters. Vote in favor. Unanimous. Motion carried.**

NEW BUSINESS

RESOLUTION # 12-11-01 – A RESOLUTION SUPPORTING RALI MARLBORO IN THEIR ENDEAVORS TO COMPLETE A RECREATION ASSESSMENT PROPOSAL FOR MARLBORO COUNTY.

The resolution was read aloud by Mr. Ron Munnerlyn, Chairman. Dr. Carolyn Prince advised she was on the RALI board and would abstain from all conversation. Mr. Jason Steen advised he had spoken with Mr. Pat Rogers with RALI and advised him he would have to discuss it with the recreation department of his area. Mr. Steen said the people in his area have questions and they needed to discuss it before making a decision. He said he would be on board if the members of Wallace Recreation were on board. Mr. Anthony Woods stated it was his understanding the consultants would not move forward with their assessment without council support. Several council members had concerns with the wording of the staff's participation. Mr. Ken Allen advised he would not mind staff's assistance as long as it did not interfere with operations. It was requested the wording be amended providing the assistance of county staff in obtaining information to the RALI Marlboro Consultants during the assessment period.

**Motion made by Mr. Willie Gladden, seconded by Mr. Ken Allen to amend the wording of the Resolution to state “provide the assistance of county staff in obtaining information to the RALI Marlboro Consultants during the assessment period”. Vote in favor: Mr. Willie Gladden, Mr. Ken Allen, Mr. Steve Blackmon, Mr. Ron Munnerlyn, Mr. Jason Steen, and Ms. Corrie Plato. Abstain: Dr. Carolyn Prince and Mr. Anthony Woods. Vote: 6/0/2. Motion carried.**

**Motion made by Mr. Ken Allen, seconded by Mr. Steve Blackmon, to approve Resolution # 12-11-01 – A Resolution supporting RALI Marlboro in their endeavors to**

**complete a recreation assessment proposal for Marlboro County. Vote in favor: Mr. Willie Gladden, Mr. Ken Allen, Mr. Steve Blackmon, Mr. Ron Munnerlyn, Mr. Jason Steen, and Ms. Corrie Plato. Abstain: Dr. Carolyn Prince and Mr. Anthony Woods. Vote: 6/0/2. Motion carried.**

APPROVAL OF FY 2012 HOLIDAY SCHEDULE

Mr. Cecil Kimrey, County Administrator advised the only change from the previous year was the inclusion of a day for General Election day which council normally provides.

**Motion made by Mr. Willie Gladden, seconded by Mr. Jason Steen to approve the FY 2012 Holiday Schedule as presented. Vote in favor. Unanimous. Motion carried.**

DISCUSSION OF TRAIL GRANT FOR BRIGHTSVILLE COMMUNITY PARK.

Mr. Willie Gladden advised staff had put in for the Trail Grant several weeks earlier. Mr. Cecil Kimrey, County Administrator advised a Letter of Intent had been submitted. The county will be advised when we can submit the formal application. Dr. Carolyn Prince questioned whether it would cost \$50,000 for the walking trail at the Brightsville Community Park. Mr. Kimrey advised council could put \$25,000 at Brightsville for the walking trail and \$25,000 at another location. He did advise it would have to be put in the application where the funds were going to be expended.

DISCUSSION OF NORTON PROPERTY DITCH.

Mr. Cecil Kimrey, County Administrator advised discussion of the Norton Property had started sometime earlier with SC DOT. They were originally supposed to handle the situation but, then requested the county complete the project. He advised the CTC has requested the county handle the project. The county has been advised by our consultants that it is on private property and should be a state project, so no action is required by council.

APPROVAL OF AIRPORT PRE-APPLICATION 5 YEAR PLAN.

A copy of the pre-application 5 year plan was included in council packets. Mr. Cecil Kimrey, County Administrator advised it included upgrades at the airport which included \$390,346.00 federal funds, \$10,272.00 County Match, and \$10,272.00 State Match for FY 2013. Mr. Kimrey advised he needed affirmation from council for the five year plan.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Anthony Woods to approve airport Pre-application 5 Year Plan. Vote in favor. Unanimous. Motion carried.**

APPROVAL TO PURCHASE MAP MACHINE FOR TAX ASSESSORS OFFICE.

Mr. Jeff Dudley, Tax Assessor presented quotes to Council for a new map machine with new technology to replace the Blue line for the Tax Assessors Office. He stated the quotes

he had ranged from \$11,500 - \$12,500, however, he was expecting three more quotes to come in. Dr. Carolyn Prince questioned if the machines were to be leased, would it include maintenance? Mr. Dudley advised he had two options which could include maintenance. Dr. Carolyn Prince questioned if any of the quotes were on state contract. Mr. Dudley advised he did not have any at the present time. Dr. Prince requested Mr. Dudley obtain state contract quotes. Council requested Mr. Dudley obtain additional information and bring it back to them. Mr. Ken Allen questioned if the Tax Assessor's office charged for copies. Mr. Dudley advised they did, the funds went into the general fund. Mr. Allen questioned whether the funds for the copies could go into a separate account and be dedicated to the purchase of another machine when required. Mr. Dudley advised it could be. Mr. Ron Munnerlyn advised the purchase could be placed on the January agenda when Mr. Dudley could provide all the quotes.

#### APPOINTMENT TO BOARDS AND COMMISSIONS.

##### Other Boards & Commissions

No appointments were made.

#### OPENING & ACCEPTANCE OF BIDS

**Marlboro Rescue Computer "ToughBook 19"** – bids received were: **Paradigm, Burnsville, MN** (\$11,692.95), **CDWG, Vernon Hills, IL** (\$11,977.20), **Gov Direct, Lincoln, NE** (\$10,057.98), **SCN, Marietta, GA** (\$12,751.08), and **Howard Technology, Laurel, MS** (\$10,442.13). Mr. Jeff Boan with Marlboro County Rescue recommended the acceptance of the bid by Howard Technology. Mr. Cecil Kimrey, County Administrator advised grant funds would be used.

**Motion made by Mr. Steve Blackmon, seconded by Mr. Jason Steen, to approve the bid as presented by Howard Technology in the amount of \$10,442.13.. Vote in favor. Unanimous. Motion carried.**

**Alliance Consulting "Certification of Industrial Site"** – Alliance presented a proposal which included a review fee of \$5,500 and compensation for services associated with the preparation of Step 3 of the Site Certification in the amount of \$59,500. The fees would be paid through Railroad funds. Mr. Ron King, Executive Director of Marlboro County Economic Development recommended the continued use of Alliance.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Ken Allen, to approve the proposal as presented by Alliance Consulting for the Certification of the Industrial Site for a total amount of 65,000 payable through railroad funds. Vote in favor. Unanimous. Motion carried.**

**Detention Center "Ice Machine"** – Mr. Cecil Kimrey, County Administrator advised the amount presented in the bids were less than \$5000. Mr. Willie Gladden stated he had a problem with the county paying for the ice machine, he thought the Detention Center should

pay for it through their funds. Mr. Ron Munnerlyn, Chairman advised by county purchasing procedures the decision falls under the county administrator's call. Mr. Willie Gladden stated he wanted to delay the decision and wanted the county administrator to request they pay for it out of their funds. Mr. Ron Munnerlyn advised he did not want to delay the decision, the ice machine was needed. Mr. Munnerlyn advised it was not council's decision. Mr. Kimrey was agreeable to requesting the detention center pay for ½ out of their funds.

**Boro Building, Gracelandpb site "Concrete to prevent water flowing into building.** – Mr. Cecil Kimrey, County Administrator advised the amounts received were also less than \$5000. The decision falls under the administrator's direction.

#### REPORTS

#### COMMITTEE REPORTS

No committee reports were heard.

#### ADMINISTRATIVE/FINANCIAL REPORT – CECIL KIMREY, COUNTY ADMINISTRATOR

**Expenditure & Revenue** report was provided to Council for the month ending November, 2011. Expenditures were at 38% and revenue was at 13% which was not unusual for this time of year.

**Employee Recognition** – Employees with at least five years service through the end of November included: Billy Cheek (20 years), Brittany English (9 years), Dorsa Fox (6 years), Mary Hood (5 years), Kenneth McLain (13 years), Terry Channing (7 years), and Willard Wallace, Jr. (9 years).

**Reminder** – Christmas Drop-in at Administration Building, Wednesday, December 14<sup>th</sup> 11:00 a.m. until 2:00 p.m. and Drop-in at Economic Development, Thursday 4:30 p.m. until 7:00 p.m.

**Funds** – the Forfeited Land Commission has turned over \$29,081.16 to the General Fund.

**Parker Poe** – bills received in November included: Filots (\$6,168.92, Project Steen (\$460.55, Domtar (\$110.00), Southern States Energy (\$270.00) and \$8,342.00 which was received on December 13<sup>th</sup> prior to the council meeting.

**GASB-45** - annual cost per employee decreased from fiscal year beginning 2010 from fiscal year beginning 2008. The issue was addressed unlike some entities such as the City of Columbia (Copy given to Council earlier).

**Boro Site** – a vendor (Alex Evans) has been located to remove the MDF material at no cost except rental of a fork lift. A large amount of plastic and tires remain.

**Lake Paul Wallace** – the administrator received a letter from Senator Malloy. A copy was placed in each council members mail box previously.

**Long term employees** – estimates were not available for determining if raises for long term employees below minimum standards were applicable. Employees are most like to lose 1% of their incomes next year. The administrator advised he would work to determine if it is possible to offset this loss.

**Family Court Furniture** – Herald Office Solutions withdrew their bid leaving only one bid from Hamilton's Office Supply.

**Holidays** – scheduled holidays were December 23<sup>rd</sup>, 26<sup>th</sup>, 27<sup>th</sup>, and January 2<sup>nd</sup>. The administrator advised he planned to take annual leave December 21<sup>st</sup>, 22<sup>nd</sup>, 28<sup>th</sup>, and partial 29<sup>th</sup>.

RECOGNITION OF CITIZEN'S REQUEST BEFORE COUNCIL

No citizens were heard.

RECOGNITION OF COUNCIL MEMBERS

**Mr. Anthony Woods** – no comments.

**Ms. Corrie Plato** – no comments.

**Mr. Jason Steen** – no comments.

**Mr. Willie Gladden** – stated the day was good. He stated the Christmas parade was great. Marlboro County had a nice float. Mr. Gladden stated those riding on the float with him included: Senator Kent Williams, Senator Gerald Malloy, Ms. Delorice Barrington (Treasurer's Office) and grandchildren, Mr. Morris Harrington (Solicitors Office), Judge Mark Heath, and Representative Elizabeth Munnerlyn and her daughter.

**Dr. Carolyn Prince** – advised she had been appointed as President of the South Carolina Coalition for one year. She also questioned whose responsibility it was to notify the citizens if they fall in another district after the redistricting is approved.

**Mr. Steve Blackmon** – no comments..

**Mr. Ken Allen** – no comments.

**Ron Munnerlyn, Chairman** – no comments.

NON-AGENDA ITEMS

**Motion made by Mr. Steve Blackmon, seconded by Mr. Willie Gladden, to enter executive session for discussion of a legal and personnel issue. Vote in favor. Unanimous. Motion carried.**

**Motion made by Ms. Corrie Plato, seconded by Mr. Willie Gladden, to leave executive session and re-enter open session. Vote in favor. Unanimous. Motion carried.**

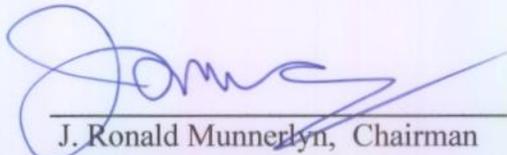
Mr. Ron Munnerlyn, Chairman advised no decisions had been made and no votes had been taken.

ADJOURN

No further discussion was heard. The meeting was adjourned

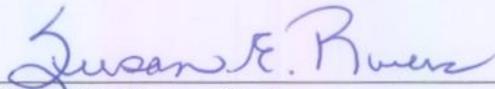
**Motion made by Dr. Carolyn Prince, seconded by Mr. Willie Gladden, to adjourn the meeting. Vote in favor. Unanimous. Motion carried.**

(SEAL)



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J. Ronald Munnerlyn, Chairman  
Marlboro County Council

ATTEST:



\_\_\_\_\_  
Susan E. Rivers, Clerk  
Marlboro County Council

Date Adopted: January 10, 2012